

Notice of Allowability

Application No.

09/779,530

Examiner

Jason M Perilla

Applicant(s)

ABRISHAMI, MEHRDAD

Art Unit

2634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed September 2, 2004.
2. ☒ The allowed claim(s) is/are 1, 2, 5, 7-33, and 35-36 renumbered respectively as claims 1-32.
3. ☒ The drawings filed on 09 February 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>20041110</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James R. Foley on October 18, 2004.

The application has been amended as follows:

Regarding claim 1, in line 16, replace "waiting in a buffer" with --waiting in a transmit buffer--, in line 21, replace "in the buffer" with --in the transmit buffer--, in line 31, strike "when no data is received", and, in line 32, strike "from the narrowband network".

Regarding claim 2, in lines 3-4, the phrase "storing the demodulated data to be transmitted over the narrowband network in a transmit buffer;" is stricken, and, in line 5, "comparing an amount" is replaced by --comparing the amount--.

Claim 4 is CANCELED.

Regarding claim 5, in line 1, replace "according to claim 4" with --according to claim 1--, and, in line 8, replace "from an RR frame" with --from a RR frame--.

Regarding claim 7, in line 3, replace "data in a transmit buffer" with --data in the transmit buffer--.

Regarding claim 9, in line 5, replace "modulated signal instead" with --modulated signals instead--.

Regarding claim 11, in line 6, replace "adjusting duration" with --adjusting a duration--, and, in line 8, replace "adjusting duration" with --adjusting a duration--.

Regarding claim 15, in line 3, replace "selecting at the first and second gateways" with --selecting at each of the first and second gateways--.

Regarding claim 16, in line 3, replace "V.8answer" with --V.8 answer--.

Regarding claim 22, in line 2, replace "V.8sequence" with --V.8 sequence--.

Regarding claim 24, line 7, "receiving the modified demodulated data at the second gateway;", is stricken, and replaced as line 11. Thereby, "receiving the modified demodulated data at the second gateway;" is inserted between the instant line 10, "transmitting the modified demodulated data...", and the instant line 11, "regenerating the demodulated data..." as the new line 11.

The following listing of claim 29 replaces the current listing of claim 29 in the file in its entirety.

29. A gateway for voice band data transmission over a network comprising a first modem connected to the gateway, a second modem connected to a second gateway, and a narrowband network connecting the gateway and the second gateway, the gateway comprising:

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a voice band data modem for demodulating signals received from a first user
modem to generate demodulated data for transmission over the
narrowband network, and for modulating data received from the
narrowband network;

a voice band data protocol for inter-networking of the first and second modems;
and

a memory having a memory size; and

a partial V.42 protocol for:

detecting establishment of an end-to-end error correcting protocol
between the first and second modems,

monitoring at the first gateway the demodulated data,

suspending transmission of the signals from the first modem if a

transmission rate of the demodulated data to be transmitted over

the narrowband network exceeds a first value, and

resuming transmission of the signals from the first modem if the

transmission rate is less than a second value, and further

~~comprising a memory having a memory size, and wherein the~~

~~partial V.42 protocol further comprises logic for: modifying~~

~~supervisory data received from the narrowband network so that a~~

~~maximum message length transmitted between the first and the~~

~~second modems is less than a predetermined limit based on the~~

~~size of the memory.~~

modifying supervisory data received from the narrowband network so that
a maximum message length transmitted between the first and the
second modems is less than a predetermined limit based on the
size of the memory.

Regarding claim 35, in line 29, replace "adjusting duration" with –adjusting a duration--, and, in line 31, replace "adjusting duration" with –adjusting a duration--.

Claims 1, 2, 5, 7-33, and 35-36 are renumbered as claims 1-32 respectively, and the claim dependency is amended accordingly.

Allowable Subject Matter

2. Claims 1, 2, 5, 7-33, and 35-36 renumbered as claims 1-32, respectively, are allowed.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M Perilla whose telephone number is (571) 272-3055. The examiner can normally be reached on M-F 8-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Chin can be reached on (571) 272-3056. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jason M. Perilla
October 18, 2004

jmp



CHIEH M. FAN
PRIMARY EXAMINER